

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

KASHAWN WESTON,	:	
	:	
Petitioner,	:	
	:	
v.	:	Civil Action No. 07-835-JJF
	:	
PERRY PHELPS,	:	
Warden, and ATTORNEY	:	
GENERAL OF THE STATE	:	
OF DELAWARE,	:	
	:	
Respondents.	:	

**O R D E R**

1. Petitioner Kashawn Weston's Motion to Amend his Petition for habeas relief filed pursuant 28 U.S.C. § 2254 (D.I. 12.) is **GRANTED**. See Fed. R. Civ. P. 15(a)(1) (permitting one amendment to pleading as a matter of course if requested before service of the responsive pleading).

2. Within **forty-five (45)** days of receipt of this Order, Respondents shall file an Answer addressing the new claim raised in Petitioner Weston's Amended Petition (D.I. 12.), as well as the claims asserted in Petitioner's original Petition. (D.I. 1.) Respondents' Answer shall be in accordance with the instructions included in the Court's prior order dated May 13, 2008. See (D.I. 7.)

3. The Clerk of the Court is directed to serve by certified mail a copy of Petitioner's Amended Petition and this Order upon:

(1) the above-named Warden of the facility in which petitioner is housed; and (2) the Attorney General of the State of Delaware.

7-9-08

DATE

Joseph D. Fama  
UNITED STATES DISTRICT JUDGE